

DOCKET NO.: ABDT-0564/B030150
Application No.: 10/600,676
Office Action Dated: May 17, 2005

PATENT

REMARKS

Claims 1-23 are pending. Restriction has been required between a first group of claims that includes claims 1-16 (Group I), and a second group that includes claims 17-23 (Group II).

In the event the claims of Group I are elected, election is required between a first species (Species A) to which claims 1-9 are directed, and a second species (Species B) to which claims 1-16 are directed.

Applicants hereby elect the claims of Group I (claims 1-16) for further prosecution on the merits at this time, without traverse.

Applicants respectfully disagree with the basis of the election requirement. In particular, the Examiner contends that the order of steps in claims 1-9 is mutually exclusive of the order of steps in claims 10-16, and vice versa. Office action at pg. 3, lines 14-16.

Applicants respectfully note that independent claim 1 does not include any express or implicit limitations precluding the individual steps recited in claim 1 from being performed in the same order as any identical or substantially similar limitations recited in independent claim 10. Applicants therefore respectfully submit that election between Species A and B is not required on the basis that the order of steps in claims 1-9 is mutually exclusive of the order of steps in claims 10-16, and vice versa.


Applicants provisionally elect Species A (claims 1-9), to which prosecution on the merits will be restricted if no generic claim is finally held to be allowable.

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A notice of allowability is respectfully requested in this case.

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